IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 33539 of 2006(P)

PETITIONER:

ROSY ANTONY,
AGED 58, W/O.LATE C.D.ANTONY,
CHEMMANNUR HOUSE, KORAPATHU LANE,
THRISSUR DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. THE THRISSUR CORPORATION,
REP. BY ITS SECRETARY,
M.O.ROAD, THRISSUR.

2. A.A.JOSE, AGED 76,
ATTOKARAN HOUSE, CHENGALUR P.O.,
PUDUKAD, THRISSUR DISTRICT.

BY ADV. SRI.K.B.MOHANDAS,SC,THRISSUR CORPORATIO
SRI.LELLULAL T.G.THUNDATHIL
SRI.K.A.SREEJITH
SMT.K.S.CHANDRIKA
SRI.P.VIJAYA BHANU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.33539 of 2006

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Dated: 12th December, 2007

JUDGMENT

The 2nd respondent has filed a counter affidavit wherein it is claimed that in obedience to the directions in Ext.P4 order he has already demolished the objectionable structures. He relies on Ext.R2 (b) series of photographs in substantiation of his averments. The Stand of the Corporation in its counter affidavit is that the 2nd respondent has started demolishing the objectionable structures and to a certain extent has demolished them. But the beams and pillars despite demolition were seen protruding into the petitioner's property. Now the claim of the 2nd respondent in the counter affidavit is that even those protruding structures have been removed. The 2nd respondent has also stated in the counter affidavit is that he is ready and willing to obey any direction which may be issued to him by the Corporation. Under these circumstances, the Writ Petition will stand disposed of issuing the following directions:

The Secretary of the Corporation will conduct an inspection of the premises of the 2nd respondent with notice to the petitioner within one month of receiving copy of the judgment. If the inspection reveals that some more structures are to be demolished by the 2nd

respondent, necessary instructions in that regard will be given to the 2nd respondent and the 2nd respondent will be bound to obey those instructions.

srd **PIUS C.KURIAKOSE, JUDGE**